

EXHIBIT B.20

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EXPERT TESTIMONY IN THE CASE OF SOKOLOV V PLO ET AL

I. SCOPE OF ENGAGEMENT

I have been asked to provide expert testimony about the relationship between the Al Aqsa Martyrs Brigades (“AAMB”) and Fatah and the support by the PA and PLO for terrorism, including by the AAMB, during the second Intifada, also known as the al-Aqsa Intifada. My fee for the drafting of this report was \$5000.00. My hourly rate for providing testimony is \$400.00 per hour.

II. SUMMARY OF OPINIONS

Based on my knowledge, experience, training and education, and drawing on my own extensive research, and the sources and information set forth herein, my expert opinion is that the AAMB, which is designated as a terrorist organization by the United States, among others, is the military arm of Fatah and its terrorist activities were, and are, controlled by Fatah. Moreover, during the period of the al-Aqsa Intifada (from December 2000 – 2005), the PA promoted and supported terrorism against Israelis, including by funding the AAMB and its individual activists, many of whom were also employees in the PA’s security forces. This funding facilitated and enabled the group to execute its attacks.

III. QUALIFICATIONS

My qualifications as a noted expert in international terrorism, with a focus on Middle East terrorist groups and particular expertise in their logistical and financial support networks, are based on a multidisciplinary combination of my academic education, professional training and experience.

I am a United States citizen, residing in the Washington, D.C. area. I hold both a Masters of Law and Diplomacy (MALD) and a Ph.D. in International Relations from The Fletcher School of Law and Diplomacy at Tufts University. The Fletcher School, a member of the Association of Professional Schools of International Affairs and one of the preeminent graduate programs in international affairs in the United States, is renowned for its interdisciplinary curriculum and approach to international studies.

My Masters degree included concentrations in Conflict Resolution, International Security Studies, and the Middle East. My doctoral dissertation entitled “The Impact of Acute Security Crises on the Process of Ongoing Negotiations,” examines the impact of terrorism on the Arab-Israeli peace process. The dissertation examines acts of terrorism carried out by both Islamic and Jewish terrorists. I was awarded several fellowships and grants in support of this research, including a graduate research fellowship from the Program on Negotiation at Harvard Law School. While at Harvard I conducted extensive field research in the West Bank and Gaza

Strip. In a letter supporting my application for funding for my doctoral work, an assistant director of the FBI described the project as one that “will be of great benefit to the FBI and the U.S. Intelligence Community (USIC).”

Prior to joining the Washington Institute, I served as a counterterrorism intelligence analyst with the Federal Bureau of Investigation (FBI) providing tactical and strategic analysis in support of counterterrorism operations. There I developed a special focus on fundraising and logistical support networks for Middle East terrorist groups. In addition, I participated as a team member in a number of crisis situations, including the terrorist threat surrounding the turn of the millennium and the September 11 attacks. In my official capacity as a U.S. government intelligence analyst, I researched and analyzed trends and patterns of international terrorist groups, produced written products and oral presentations for FBI management, FBI field agents and other agencies, and liaised with U.S. intelligence community counterparts, other U.S. government agencies, and foreign services. In this capacity I also made several trips to the Middle East. Indicative of my expertise, I earned three letters of commendation for my analytical contributions to FBI counterterrorism operations, as well as five awards in recognition of superior service rendered to the FBI.

In November 2001 I joined The Washington Institute for Near East Policy as a Senior Fellow in Terrorism Studies. Founded in 1985, The Washington Institute seeks to “advance a balanced and realistic understanding of American interests in the Middle East” by bringing “scholarship to bear on the making of U.S. policy in this vital region of the world.” The Institute’s Board of Advisors includes several former Secretaries of State, a former Director of Central Intelligence, and other former senior government officials and diplomats. The Washington Institute holds annual conferences and periodic policy forums, hosts blue-ribbon presidential study groups, and publishes scholarly research.

From November 2005 through January 2007 I served as Deputy Assistant Secretary for Intelligence and Analysis in the United States Department of the Treasury. In that capacity, I served both as a senior official within the department’s terrorism and financial intelligence branch and as deputy chief of the Office of Intelligence and Analysis, one of sixteen U.S. intelligence agencies coordinated under the Office of the Director of National Intelligence. During my tenure at Treasury, I was at the center of the government’s efforts to protect the U.S. financial system from abuse and to deny terrorists, weapons proliferators, and other rogue actors the ability to finance threats to U.S. national security. In recognition of exceptional service to the department, in January 2007 I was awarded the Treasury Department’s “Exceptional Service Award.” In 2008-2009 I also served as an advisor on counterterrorism and intelligence for the U.S. State Department’s Special Envoy Middle East Regional Security (SEMERS) whose mission was to help achieve the Secretary of State’s vision of resolving the Israeli-Palestinian conflict through two states living side by side in peace and security.

In February 2007 I returned to the Washington Institute, where I am a Senior Fellow and Director of the since renamed Stein Program on Counterterrorism and Intelligence. In this capacity, I am frequently sought after as an analyst and commentator on terrorism issues for major media outlets including CNN, ABC, NBC, CBS, PBS, The New York Times, The Washington Post, The Wall Street Journal, National Public Radio, BBC, al Jazeera, al Arabiya,

and more. I have lectured and consulted on terrorism for a variety of government and other organizations, including the U.S. Departments of State, Homeland Security and Justice, the Commission on Terrorist Attacks Upon the United States (9-11 Commission), the Financial Transactions Reports Analysis Centre of Canada (FINTRAC), the Canadian Security and Intelligence Service, Department of Justice Canada, and others, and write frequent policy briefs and articles on issues relating to terrorism and U.S. policy. I have also taught as a Professorial Lecturer in International Relations and Strategic Studies at Johns Hopkins University's School of Advanced International Studies (SAIS). Along with a collection of journal articles and edited volumes, I am also the author of *Targeting Terror* (Washington Institute, 2002), *Hamas: Politics, Charity and Terrorism in the Service of Jihad* (Yale University Press, 2006), and *Negotiating under Fire: Preserving Peace Talks in the Face of Terror Attacks* (Rowman & Littlefield, 2008). I am now writing another book, *Hezbollah: The Global Footprint of Lebanon's Party of God* (forthcoming 2013).

At the Institute my work includes the study of Middle Eastern terrorist groups, front organizations and state sponsors, the logistical and financial support networks that facilitate their activities, and the extremist and militant ideologies that drive their recruitment and radicalization efforts. In my efforts to study and understand terrorism and militant Islamist ideology I interview experts, officials, academics and others with insight into these issues, both in the United States and Europe and in the Middle East. I engage in private, personal meetings, public conferences, group discussions, and talks that are both on and off the record. I travel to the Middle East regularly, including trips to the Palestinian territories, Israel, Jordan, Egypt, Bahrain, Qatar, the UAE and Turkey. I also attend conferences and academic and professional lectures, and read books, newspapers, academic and policy journals, and research these materials on the internet (including the websites, video and audio clips and images on sites geared towards counterterrorism and those of terrorist groups and their sympathizers as well). These are the standard sources and methods in the academic and policy communities for developing the kind of specialized knowledge and expertise I have accumulated – and for which I have been awarded and commended – in my field. Indeed, the Sixth Circuit has described my research methodology as “the gold standard.”¹ And, in a watershed ruling upholding the constitutionality of the material support statute §2339B, the Supreme Court of the United States cited my work twice to support its position.²

Compiling information from sources such as these, I study and evaluate the information and data I collect, and write about and lecture on my findings. I engage in regular discussions with other experts both to compare notes and as a means of affording myself an ongoing process of peer-review and fact-checking.

The awards and honors I have received include:

- Exceptional Service Award, U.S. Department of the Treasury, January 2007

¹ See Sixth Circuit Court of Appeals ruling in *US v. Damrah*, at <http://ftp.resource.org/courts.gov/c/F3/412/412.F3d.618.04-4216.html>

² See SCOTUS opinion in *Humanitarian Law Project et al v. Holder et al*, Pp25-26, at <http://www.supremecourt.gov/opinions/09pdf/08-1498.pdf>

- Certificate of Appreciation, United States Central Command Directorate of intelligence, February 2006
- Selected by CNN as one of “The 2005 New Guard: Washington’s Next Generation of Newsmakers,” April 2005
- European Union Visitors Program (EUVP), 2005
- Visiting Scholar, Security Studies Department, the Paul H. Nitze School of Advanced International Studies (SAIS), Johns Hopkins University, March 2003
- U.S. Department of State Speaker and Specialist Grant (2), April 2002 (lectures in Lithuania), and January 2003 (lectures in Austria)
- Letters of Commendation from Deputy Assistant Director (3), Federal Bureau of Investigation, July 2000, August 2000, July 2001
- Performance Awards (2), Federal Bureau of Investigation, December 1999, November 2000
- Special Act or Service Award, Federal Bureau of Investigation, September 1999
- Graduate Research Fellow, The Program On Negotiation at Harvard Law School, 1997-1998
- International Security Studies Fellow, International Security Studies Ph.D. Dissertation Fellowship, the Fletcher School of Law and Diplomacy, 1996-1997
- International Security Studies Program Graduate Student Research Grant on the Emerging Issues of Ethnic, Sectarian, and Religious Conflict, William H. Donner Foundation, 1996
- Doctoral Scholarship, the Fletcher School of Law and Diplomacy, 1995-1996
- Sarah Scaife Frank Rockwell Barnett Memorial Grant in International Security Studies, The Fletcher School of Law and Diplomacy, 1994 and 1996

In addition to my work at the Institute, I use my specialized expertise to teach and consult, both for the U.S., and other governments and private sector firms). I was a member of the Council on Foreign Relations’ task force on terrorist financing, and am a member of the international advisory boards for the Institute for Counter-terrorism (ICT) in Israel and the International Centre for Political Violence & Terrorism Research (ICPVTR) in Singapore. I served as a CTC Fellow at the Combating Terrorism Center (CTC) at U.S. Military Academy (West Point), a currently hold a senior fellowship at The George Washington University’s Homeland Security Policy Institute. I am a life member of The Council on Foreign Relations.

I am frequently called upon to testify before the United States Senate and House of Representatives as an expert on international terrorism, militant Islam, and terrorist financing. I have been qualified as an expert witness and provided expert testimony in many U.S. federal

court proceedings and have testified as an expert in several terrorism-related immigration cases in the U.S. and Canada, as well as in terrorism-related cases in France and Denmark. At the request of a Swedish prosecutor, I provided an expert report in a terrorism-related case in Sweden as well.

I am widely published. Examples of my publications include:

Books:

- Hezbollah: The Global Footprint of Lebanon's 'Party of God' (Washington, DC: Georgetown University Press, forthcoming)
- Negotiating Under Fire: Preserving Peace Talks in the Face of Terror Attacks (Lanham, MD: Rowman & Littlefield, 2008)
- Hamas: Politics, Charity and Terrorism in the Service of Jihad, (New Haven, CT: Yale University Press, 2006)
- Targeting Terror: US Policy toward Middle Eastern Terrorist Groups and State Sponsors in the War on Terror (Washington, DC: The Washington Institute for Near East Policy, 2002)

Monographs:

- *Finding a Balance: U.S. Security Interests and the Arab Awakening*, editor, (Washington, D.C.: The Washington Institute for Near East Policy, May 2012)
- *Obama's National Security Vision: Confronting Transnational Threats with Global Cooperation*, editor (Washington, DC: The Washington Institute for Near East Policy, October 2010)
- *Fighting the Ideological Battle: The Missing Link in U.S. Strategy to Counter Violent Extremism*, co-author with J. Scott Carpenter, Steven Simon and Juan Zarate (Washington, DC: The Washington Institute for Near East Policy, July 2010)
- *Continuity and Change: Reshaping the Fight against Terrorism*, co-edited with Michael Jacobson (Washington, DC: The Washington Institute for Near East Policy, April 2010)
- *Deterred but Determined: Salafi-Jihadi Groups in the Palestinian Arena*, co-authored with Yoram Cohen and Becca Wasser, (Washington, DC: The Washington Institute for Near East Policy, January 2010)
- *Combating the Financing of Transnational Threats*, co-authored with Michael Jacobson, Emirates Lecture Series #76 (Abu Dhabi: The Emirates Center for Strategic Studies and Research, 2009)
- *Rewriting the Narrative: An Integrated Strategy for Counterradicalization. Report of the Task Force on Confronting the Ideology of Radical Extremism*, co-convener and co-author with

Michael Jacobson and J. Scott Carpenter (Washington, DC: The Washington Institute for Near East Policy, March 2009)

- *Countering Transnational Threats: Terrorism, Narco-Trafficking, and WMD Proliferation*, co-editor with Michael Jacobson (Washington, DC: The Washington Institute for Near East Policy, February 2009)
- *The Money Trail: Finding, Following and Freezing Terrorist Finances*, co-author with Michael Jacobson (Washington, DC: The Washington Institute for Near East Policy, November 2008)
- *Terrorist Threat and U.S. Response: A Changing Landscape*, co-editor with Michael Jacobson (Washington, DC: The Washington Institute for Near East Policy, September 2008)

Chapters:

- “Hezbollah,” in Ilan Berman, Chief Editor, *World Almanac of Islamism 2011* (Lanham, MD: Rowman & Littlefield, 2011)
- “Financial Sanctions,” in Robin Wright, Editor, *The Iran Primer: Power, Politics, and U.S. Policy* (Washington, DC: U.S. Institute of Peace Press, 2010)
- “The Evolving Threat of International Terrorism and Government Response,” in Boaz Ganor and Eitan Azani, Eds., *The Global Impact of Terrorism 2008* (The International Institute for Counter-Terrorism, 2010)
- “Threat Finance and Counterradicalization,” in Ronald R. Luman, Editor, *2009 Unrestricted Warfare Symposium: Proceedings on Integrating Action for Attacks Involving: Terrorism, Resources, Economics and Cyberspace* (Laurel, Maryland: The Johns Hopkins University Applied Physics Laboratory, 2009)
- “Disrupting Adversary Networks,” in Ronald R. Luman, Editor, *2008 Unrestricted Warfare Symposium: Proceedings on Integrating Strategy, Analysis, and Technology in Support of the U.S. War on Terrorism Campaign* (Laurel, Maryland: The Johns Hopkins University Applied Physics Laboratory, 2008)
- “Hizballah Finances: Funding the Party of God,” in *Terrorism Financing and State Responses in Comparative Perspective* (Stanford CA: Stanford University Press, 2006)
- “ Hamas Social Welfare: In the Service of Terror,” in James JF Forest, editor, *The Making of a Terrorist: Recruitment, Training, and Root Causes* (New York: Praeger Publishers, 2005)
- “Iran and Syria: State Sponsorship in the Age of Terror Networks,” in *Confronting Terrorism Financing* (Lanham, MD: University Press of America - American Foreign Policy Council, 2004)

Journal Articles:

- “Money Troubles: The Financial Woes of al-Qaeda’s Leaders,” *IHS Jane’s*, January 2012
- “It’s the Ideology, Stupid,” *Journal of International Security Affairs*, September 2011
- “Hezbollah: Party of Fraud,” *Foreign Affairs*, July 27, 2011
- “Follow the Money: Leveraging Financial Intelligence to Combat Transnational Threats,” *Georgetown Journal of International Affairs* (Winter/Spring 2011)
- “Al Qaeda Targeting Israel: Between Rhetoric and Reality,” *Orbis*, volume 54, number 3 (Summer 2010)
- “Tracking Narco-Terrorist Networks: The Money Trail,” co-authored with Michael Jacobson, *The Fletcher Forum of International Affairs*, vol. 34:1, winter 2010
- “What Europe Can Do to Secure a Deal with Iran,” *Europe’s World* (Spring 2010)
- “Syria’s Financial Support for Jihad,” *Middle East Quarterly* (Winter 2010)
- “Staying Solvent – Assessing Al-Qaeda’s Financial Portfolio,” co-authored with Michael Jacobson in *Al-Qaeda’s Senior Leadership (AQSL) – a Jane’s Strategic Advisory Services (JSAS) supplement*, *IHS Jane’s*, November 2009
- “ Hamas’s Ideological Crisis,” *Current Trends in Islamist Ideology* (November 2009)
- “Israel as an Al-Qa’ida Target: Sorting Rhetoric from Reality,” *CTC Sentinel*, volume 2:10, October 2009
- “Foreign Fighters and Their Economic Impact: A Case Study of Syria and al-Qaeda in Iraq,” *Perspectives on Terrorism*, Volume 3, Issue 3, September 2009
- “Confronting the Ideology of Radical Extremism,” co-authored with J. Scott Carpenter and Michael Jacobson, *Journal of National Security Law & Policy*, volume 3:2, Fall 2009
- “Drug Wars: How Obama can Use Narcotics Enforcement to Fight Terrorism,” co-authored with Michael Jacobson, *The New Republic*, January 26, 2009
- “The U.S. Campaign to Squeeze Terrorist’s Financing,” co-authored with Michael Jacobson, *Columbia Journal of International Affairs*, Fall/Winter 2008
- “Al Qa’ida’s Finances: Evidence of Organizational Decline?” *CTC Sentinel*, April 2008
- “Could Hamas Target the West?” *Studies in Conflict & Terrorism*, vol. 30, no. 11, 2007

- “Countering the Theological Case for ‘Economic Jihad’ is Vital,” *RUSI/Jane’s Homeland Security and Resilience Monitor*, (July 1, 2005)
- “Zarqawi’s Jordanian Agenda,” (with Julie Sawyer), *Terrorism Monitor: In-Depth Analysis of the War on Terror*, Vol. II, Issue 24, The Jamestown Foundation (December 16, 2004)
- “Untangling The Terror Web: Identifying and Counteracting The Phenomenon Of Crossover Between Terrorist Groups,” *SAIS Review*, vol. XXIV, no. 1 (Winter-Spring 2004)
- “Stemming the Flow of Terrorist Financing: Practical and Conceptual Challenges.” *The Fletcher Forum of World Affairs*, vol. 27, no. 1, (Winter/Spring 2003)
- “The Politics of Terrorist Financing in the Middle East,” *The Middle East Review of International Affairs (MERIA) Journal*, vol. 6, no. 4 (December 2002)
- “Eradicating Evil: Cracking Down on Terrorist Financing,” *Harvard International Review online*, vol. XXIV, Issue 3, (Fall 2002)

IV. EXPERT OPINIONS

A. The Al-Aqsa Martyrs Brigades, which served as the armed wing of Fatah During the Second Intifada

“[T]he truth is, we are Fatah itself, but we don’t operate under the name Fatah. We are the armed wing of the organization. We receive our instructions from Fatah. Our commander is Yasser Arafat himself.”³

- Maslama Thabet, Al-Aqsa Martyrs Brigades member

“The Al-Aqsa Martyrs Brigades, military wing of the Fat[a]h movement will not be dissolved and Fat[a]h will never relinquish its military wing.”⁴

- PA Prime Minister Ahmed Qurei

The Al-Aqsa Martyrs Brigades, a U.S- and E.U.-designated terrorist group affiliated with Fatah, emerged during the Second *Intifada*.⁵ The U.S. State and Treasury Departments designated the group as a Foreign Terrorist Organization (FTO) and Specially Designated Global Terrorist Entity (SDGT), respectively, in March 2002. Other countries, including Canada and

³ Matthew Kalman, “Terrorist says orders come from Arafat,” *USA Today*, March 14, 2002, available at: <http://www.usatoday.com/news/world/2002/03/14/usat-brigades.htm>.

⁴ From Itamar Marcus and Barbara Cook, “Arafat Blames Israel for Tel Aviv Bombing,” *Palestinian Media Watch*, July 14, 2004. <<http://www.imra.org.il/story.php?id=21474>>

⁵ Official Journal of the European Union, 30 September 2005, http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l_340/l_34020051223en00640066.pdf; U.S. Treasury Press Release, <http://www.ustreas.gov/offices/enforcement/ofac/actions/20020327.shtml>; U.S. Department of State Press release, <http://www.fas.org/irp/news/2002/03/fr032702.html>; “Profile: Al-Aqsa Martyrs’ Brigades,” BBC News, July 1, 2003, available at http://news.bbc.co.uk/2/hi/middle_east/1760492.stm

Japan, have also listed AAMB as a terrorist group.⁶ AAMB carried out many attacks against Israeli civilians and security forces, most notably suicide bombings during the second *Intifada*.⁷ Between August 2001 and April 2002, alone, AAMB killed 32 and wounded 613 Israelis in 22 suicide attacks.⁸ The Brigades were also the first to employ female suicide bombers as paramedic Wafa Idris carried out an attack in downtown Jerusalem on January 27, 2002.⁹

Indicative of the group's commitment to terrorism as a means of affecting political change, Al-Aqsa commander Marwan Zaloum responded to news of the group's pending addition to the U.S. State Department's FTO list by promising attacks would "continue until we vanquish the occupation."¹⁰ Similarly, in an official Al-Aqsa statement faxed to Reuters, Nasser Awais, a full time employee of the Palestinian National Security Force and a senior Al-Aqsa commander, called the AAMB's FTO designation "a medal of honor that we wear on our chests," and promised to "continue on the road of resistance and martyrdom unconcerned about the American decision."¹¹ Even before it was officially designated as an FTO and an SDTE in March 2002, the U.S. government referred to the AAMB as a terrorist group. In its 2001 and 2002 annual terrorist reports, for example, the State Department referred to terrorist attacks carried out by the AAMB.¹² The State Department's 2003 report was particularly explicit:

Israel maintained staunch support for US-led counterterrorist operations as terrorist activity in Israel, the West Bank, and Gaza Strip continued at a heightened level in 2002. HAMAS, the Palestine Islamic Jihad (PIJ), and the al-Aqsa Martyrs Brigades, all of which the United States has designated as Foreign Terrorist Organizations and has designated pursuant to Executive Order 13224, were responsible for most of the attacks, which included suicide bombings, shootings, and mortar firings against civilian and military targets.¹³

Such designations, and AAMB's inclusion in State's terrorist reports, codified not only the group's patent rejection of the peace process but its nature as a violence terrorist organization.

During the *Intifada*, the AAMB was intimately tied to, and managed by, Arafat's Fatah party. Fatah is, by its own admission, Al-Aqsa's parent and controlling organization. Asked if Al-Aqsa is under Arafat's control, senior Fatah leader Hussein al-Sheikh openly responded, "of

⁶ See "Japan's Foreign Policy in Major Diplomatic Fields," <http://www.mofa.go.jp/policy/other/bluebook/2005/ch3-a.pdf>; and see Canadian list of "Currently Listed Entities," <http://www.publicsafety.gc.ca/prg/ns/le/cle-eng.aspx>

⁷ "Profile: Fatah Palestinian Movement," BBC News, August 4, 2009, available at <http://news.bbc.co.uk/2/hi/1371998.stm>.

⁸ "The Palestinian Authority Employs Fatah Activists Involved in Terrorism and Suicide Attacks," IDF report dated 15 April 2002, p. 33.

⁹ "Female bomber's mother speaks out," BBC News, 30 January 2002, http://news.bbc.co.uk/2/hi/middle_east/1791800.stm

¹⁰ "Hass, Guttman, 'U.S. Dubs Al-Aqsa Brigades 'Terrorist,'" *Haaretz* (March 22, 2002)

¹¹ "Al-Aqsa Brigades Shrugs off U.S. 'Terrorism' Label," *Reuters* (March 22, 2002); Matthew Kalman, "Terrorist Says Orders Come from Arafat," *USA Today* (March 21, 2002)

¹² U.S. Department of State, "Patterns of Global Terrorism 2000," April 30, 2001, available at <http://www.state.gov/s/ct/rls/crt/2000/>; U.S. Department of State, "Patterns of Global Terrorism 2001," May 21, 2002, available at <http://www.state.gov/s/ct/rls/crt/2001/html/index.htm>.

¹³ U.S. Department of State, "Patterns of Global Terrorism 2002," April 30, 2003, available at <http://www.state.gov/s/ct/rls/crt/2002/html/index.htm>

course, there is control.”¹⁴ In another interview, al-Sheikh confirmed that Fatah controls Al-Aqsa “to one extent or another.”¹⁵ A September 2001 letter from Fatah members in the Jenin Refugee Camp to Marwan al-Barghouti, Secretary of the Supreme Fatah Movement Committee, reflects the hierarchy of these organizations. The letter, a “Report on the Situation of the Fatah Movement in Jenin Refugee Camp,” notes that “The [Refugee Camp] is characterized by an exceptional presence of fighting men and initiators of national activity. Nothing will beat them and nothing worries them....Therefore, it is not strange that Jenin has been termed [the] ‘capital of the suiciders.’” The letter, concerned with Fatah’s abilities in the refugee camp, continues, “[t]hose who started all of this were the Al Aqsa Martyrs Brigades.” Then, revealing more explicitly Fatah’s control over AAMB, the report reads, “the Al Aqsa Martyrs Brigades, whose center is the north [of the West Bank][,] are located in Jenin [Refugee Camp] [and]...consolidated the presence and operational capability of Fatah.”¹⁶

Convicted terrorist, Tamer Rassem Salim Rimawi acknowledged the fact that Fatah served as the parent organization for AAMB. In a 2005 confession, he admitted that “[i]n 2002 I joined the Al Aqsa Martyrs Brigade, which is the armed wing of the Fatah movement in the West Bank.” In fact, he continues, “While I was in the Al Aqsa Martyrs Brigade, my pay came directly from Fatah.” In addition to shedding light on the linkage between AAMB and Fatah, Rimawi’s confession illuminates the ties between AAMB operatives and the PA: after murdering U.S. citizen, Esther Kleiman, Rimawi sought refuge in the PA’s “mukata” presidential compound for several months, staying put until pressure mounted on Arafat to turn Rimawi in to the Israeli authorities.¹⁷

The ties between AAMB and Fatah are also made clear by many of the documents seized by the IDF during operation *Defensive Shield* (March-May 2002). Consider, for example, the 2001 “Comprehensive Report on the Al Aqsa Martyrs Brigades (in the Jenin Province)” submitted to Fatah Secretary Marwan Barghouti. The report details the structure of the AAMB “military units” in the area, lists their operational “achievements,” and requests funding “so that the resistance can continue.”¹⁸ The AAMB plea for increased fiscal support from Fatah explains that

to this day there is no budget for all this activity, which entails considerable expenses, both for ammunition, combat equipment and fuel and for aid for brothers to keep their families. All the expenses of this activity were paid from their own pocket. We hope that you will help us as much as you can, especially in view of the fact that there are accumulated debts of the Brigades which approach tens of thousands of dollars.¹⁹

¹⁴ Matthew Kalman, “Terrorist says orders come from Arafat,” *USA Today*, March 14, 2002, available at: <http://www.usatoday.com/news/world/2002/03/14/usat-brigades.htm>.

¹⁵ Avi Yissakharov, *Israel Radio* (11:00 pm, March 6, 2002) as translated by IMRA.

¹⁶ “Jenin: The Capital of the Palestinian Suicide Terrorists,” IDF/MI report dated 18 April 2002, p. 15.

¹⁷ Confession of Tamer Rassem Salim Rimawi, October 10, 2005.

¹⁸ “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

¹⁹ “Jenin: The Capital of the Palestinian Suicide Terrorists,” IDF/MI report dated 18 April 2002, p. 21.

Thus, not only did Fatah consider itself the parent organization of AAMB, AAMB considered itself Fatah's reliant child.

Fatah officials who held senior positions within the PA also considered Al-Aqsa part of Fatah, and lauded its accomplishments. Arafat's foreign media spokesman, Mohammed Odwan, confirmed that the Brigades were "loyal to President Arafat."²⁰ Just two days before a 2002 AAMB suicide bombing in Jerusalem, then-West Bank Preventive Security Organization chief Jibril Rajoub described the group to the al-Ayyam newspaper as "the noblest phenomenon in the history of Fatah, because they restored the movement's honor and bolstered the political and security echelons of the Palestinian Authority."²¹ Rajoub further asserted that the PA would not dismantle the Al-Aqsa Brigades.²²

Al-Aqsa members say much the same. According to the Al-Aqsa Brigades' Maslama Thabet, "the truth is, we are Fatah itself, but we don't operate under the name Fatah. We are the armed wing of the organization. We receive our instructions from Fatah. Our commander is Yasser Arafat himself."²³ Nasser Badawi, an AAMB senior commander, insisted "[w]e are Fatah people" and, despite those who claim AAMB is merely a group of loosely affiliated activists, he acknowledged "[w]e are still Fatah."²⁴ In fact, former PA Prime Minister Ahmed Qurei stated "The Al-Aqsa Martyrs Brigades, military wing of the Fat[a]h movement will not be dissolved and Fat[a]h will never relinquish its military wing."²⁵ Further illuminating the dynamic between these groups, a Fatah leader in the Jenin refugee camp explained "Fatah has two sections: a military wing, led by the military and a political wing, led by politicians. But there is no difference between Fatah and the al-Aqsa Martyrs' Brigades."²⁶

Thus, it should not surprise that the official U.S. government position is that the AAMB is the military wing of Fatah. Indeed, the State Department's 2005 terrorist report noted that "Fatah's militant wing, the al-Aqsa Martyrs Brigade, conducted numerous shooting attacks and suicide bombings in 2004."²⁷

²⁰ Matthew Kalman, "Terrorist says orders come from Arafat," *USA Today*, March 14, 2002, available at: <http://www.usatoday.com/news/world/2002/03/14/usat-brigades.htm>.

²¹ "Report: PA's Rajoub hails militant Al Aqsa Brigades," *Haaretz*, March 18, 2002, available at: <http://www.haaretz.co.il/hasen/pages/ShArt.jhtml?itemNo=142744&contrassID=1&subContrassID=0&sbSubContrassID=0>.

²² "Report: PA's Rajoub hails militant Al Aqsa Brigades," *Haaretz*, March 18, 2002, available at: <http://www.haaretz.co.il/hasen/pages/ShArt.jhtml?itemNo=142744&contrassID=1&subContrassID=0&sbSubContrassID=0>.

²³ Matthew Kalman, "Terrorist says orders come from Arafat," *USA Today*, March 14, 2002, available at: <http://www.usatoday.com/news/world/2002/03/14/usat-brigades.htm>.

²⁴ Ferry Biedermann, "Secular and deadly: The rise of the Martyrs Brigades," *Slate*, March 19, 2002. <<http://www.salon.com/news/feature/2002/03/19/brigades>>

²⁵ From Itamar Marcus and Barbara Cook, "Arafat Blames Israel for Tel Aviv Bombing," *Palestinian Media Watch*, July 14, 2004. <<http://www.imra.org.il/story.php?id=21474>>

²⁶ *BBC News*, "Palestinian Authority funds go to militants," November 7, 2003. <http://news.bbc.co.uk/2/hi/middle_east/3243071.stm>

²⁷ U.S. Department of State, Country Reports on Terrorism – 2004, April 27, 2005, available at <http://www.state.gov/s/ct/rls/crt/c14818.htm>.

Overwhelming evidence indicates that the infrastructure, funds, leadership and operatives that made up Fatah's militant wing during the Second *Intifada* and facilitated its activity hailed from Fatah and the PA. For example, Israel's Public Security Ministry announced that among the over 100,000 documents seized from the PA's East Jerusalem headquarters, Orient House, investigators found documents showing the PA transferred funds to Fatah, the Tanzim (another militant wing of Arafat's Fatah) and its affiliated fighters. The documents – many of which were printed on “AL-AQSA Martyrs Troops”²⁸ letterhead – include a July 9, 2002, letter signed by Arafat sent to Kamil Hmeid, a Fatah leader in Bethlehem. The letter empowers Hmeid to disburse payments to twenty-four Fatah activists, including Atef Abayat, an Al-Aqsa commander in Bethlehem.²⁹ Most members of the Brigades' leadership were salaried members of the PA and its security forces, like Nasser Awais, the Palestinian National Security Force employee and a senior Al-Aqsa commander.

Letters from AAMB leaders on letterhead with both the AAMB and Fatah logos, and posters of AAMB terrorists with both logos, also point to the intimate relationship between the two groups. For example, a poster of Majdi Musa Tayb Jaradat features the logos of both Fatah and the AAMB and reads, “The National Palestinian Liberation Movement, Fatah, and its military wing, the ‘Al Aqsa Martyrs Brigades’ in Palestine, is escorting its casualty, the commander on his last trip.” Jaradat is described on the AAMB/Fatah poster as “Hero of the Special Operations, who carried out the Umm el Fahm operation, whom the treacherous Zionist hand murdered on 6 November 2001.”³⁰

Similarly, at the top of a certificate of appreciation issued for “the fighting brother,” Mahmud Jabari, is the Fatah emblem with “Al Aqsa Martyrs Brigades” printed to its left and “The Palestinian National Liberation Movement, ‘Fatah’,” printed to its right. At the bottom of the certificate is a hybrid Fatah/AAMB stamp.³¹ The letter is for Jabari's cooperation with “The Palestinian National Liberation Movement, ‘Fatah’/ ‘Al Aqsa Martyrs Brigades’” and for “his loyal bond with the homeland and its revolution.”³²

A letter from AAMB members to Fatah Secretary, Marwan Barghouti, further reveals AAMB's character, as well as its close ties to Fatah. The bottom of the letter, itself signed “Your sons, In the Al Aqsa Martyrs Bridge – Southern Area,” is also marked by a hybrid stamp

²⁸ For example, “Appendix B: Examples for the involvement of PA Apparatuses in Arms Procurement,” “Arafat's and the PA's Involvement in Terrorism (According to Captured Documents),” IDF report, 22 April 2002, p. 11. <http://www.terrorism-info.org.il/malam_multimedia/English/financing/pdfs/03.pdf>

²⁹ “Israel: Document Shows Arafat Paying Militant Wanted by Israel,” *Associated Press* (March 22, 2002)

³⁰ “Appendix A: Document 1 - Translation,” “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, p. 9, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

³¹ “Appendix A: Document 1 - Translation,” “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, p. 9, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

³² “Appendix A: Document 1 - Translation,” “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, p. 9, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

of “the Palestinian National Liberation Movement – Fatah” and “Al Aqsa Martyrs Brigades.”³³ The fact that this letter to a senior Fatah leader includes AAMB and AAMB/Fatah stamps and is signed by an AAMB unit signals that AAMB is tied to Fatah. Highlighting the intimate organizational relations between AAMB and Fatah, the letter appeals to Barghouti to “establish a communications channel between us and yourself, so that we can handle several complicated problems that arose in our sector of the struggle, at this stage of our national struggle.”³⁴

A poster in memory of Firas Sabhi Ja’aber, a senior Fatah activist in Tulkarm involved in the murder of two Israelis, also reveals the ties between AAMB and Fatah. Ja’aber, who was killed while trying to throw a grenade at an Israeli tank, is pictured on the poster wearing an AAMB kafiyya. The poster itself is adorned with the Fatah and AAMB seals.³⁵

In addition, the connection between Fatah and AAMB is indicated in a letter on “The General Situation Among Armed Fatah Personnel in the District” from Hamdi Al Daruch, head of Palestinian Authority General Intelligence (PAGI) in Tulkarm, to Tawfik Tirawi, head of PAGI in the West Bank. Al Daruch refers to AAMB as “the arms bearers of the Fatah” and makes note of those “arms bearers...who stand out in their...affiliation to Fatah.” He also notes “the concept developed whereby the arms bearers [i.e. AAMB] of the Fatah constitute first and foremost a support for the Palestinian Authority and its security apparatuses.” Al Daruch’s admission signals the loyalty of the Fatah security forces to the Palestinian Authority under Arafat’s control which was responsible for funding and supporting AAMB’s terrorist activity (see below).³⁶

B. Involvement of the Palestinian Authority (PA) in Acts of Terrorism

Over the course of the Second *Intifada*, some officials and agencies of the PA actively and passively supported terrorist activities. PA officials and agencies not only turned a blind eye to terrorist activity; they also funded, armed, and at times cooperated with, terrorist groups such as AAMB, the PRC and others. Indeed, Mahmoud Zahar, one of Hamas’ leaders in Gaza, admitted on September 29, 2010, that PA “President [Yasir] Arafat instructed Hamas to carry out a number of military operations in the heart of the Jewish state after he felt that his negotiations [in 2000] with the Israeli government [led by Prime Minister Ehud Barak] then had failed.”³⁷

³³ “Document 5 – Translation,” “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, p. 17, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

³⁴ “Document 5 – Translation,” “The ‘Al Aqsa Martyrs Brigades,’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

³⁵ “Document 4 (see poster on the next page),” “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, p. 15-16, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

³⁶ “Appendix B: The Connection between the PA, Fatah and the Al Aqsa Martyrs Brigades, Document 8 – Excerpts from a document of the General Intelligence Apparatus in the West Bank,” “The Palestinian Authority Employs Fatah Activists Involved in Terrorism and Suicide Attacks,” IDF report dated 15 April 2002, p. 29.

³⁷ Khaled Abu Toameh, “Arafat ordered Hamas attacks against Israel in 2000,” *Jerusalem Post*, September 29, 2010.

Some cases of PA involvement in terrorist activity involved senior PA officials. For example, there is evidence that Arafat approved funding for Palestinian terrorists, including a June 2002 payment of \$20,000 to the Al-Aqsa Martyrs' Brigades just as the group claimed responsibility for a suicide bombing in Jerusalem.³⁸ And, in November 2003, the *BBC* revealed that the PA was sending monthly payments of up to \$50,000 to AAMB members.³⁹ While condemning terrorist attacks – albeit not as acts of terror per se, but rather as harming the national interests of the PA – Arafat simultaneously personally authorized the financing of groups and individuals engaged in terror attacks against Israeli citizens.⁴⁰

The PA has openly run a “Fund for Families of Martyrs and the Injured,” which the World Bank reports has provided cash transfers to thousands of families of martyrs and those injured during the conflict with Israel. According to the World Bank, “the program is clearly not targeted to the poorest households. While some assistance should be directed to this population, the level of resources devoted to the Fund for Martyrs and the Injured does not seem justified from a welfare or fiscal perspective.”⁴¹

The PA released key Hamas bomb makers and military commanders from PA prisons in 2000—part of a longstanding informal revolving prison door policy—and Hamas quickly became a principal actor in an umbrella organization of forces (including PIJ, the PFLP, and various elements of Arafat's Fatah organization, such as the Tanzim and Force 17) under the banner of the National and Islamic Front. As early as October 2000, Mahmoud Zahar, a Hamas leader in Gaza, announced that Hamas and PIJ leaders were meeting with Fatah and PA officials “at least once daily.” Hamas then resumed conducting terrorist attacks independently as well as in joint operations with Fatah under the auspices of the PRC, the “Saladin Brigades,” and the “Return Brigades.”⁴²

In other cases, terrorism-related PA activities involved lower level officials. In January 2004, Ali Yusuf Jaara, a policeman from Bethlehem, carried out a suicide bombing on a bus in Jerusalem. AAMB and Hamas both claimed responsibility for the attack, which killed eleven people and injured over fifty.⁴³ In addition, senior PA officials were involved in anti-Israeli

³⁸ David E. Sanger, “Bush Says Palestinians Will Lose Aid if They Keep Arafat,” *The New York Times*, June 27, 2002, available at: <http://www.nytimes.com/2002/06/27/international/middleeast/27PREX.html?pagewanted=1>.

³⁹ *BBCNews*, “Palestinian Authority funds go to militants,” November 7, 2003. http://news.bbc.co.uk/2/hi/middle_east/3243071.stm

⁴⁰ Center for Defense Information, “In the Spotlight: Al-Aqsa Martyrs Brigades,” June 10, 2002, available at: <http://www.cdi.org/terrorism/aqsa-pr.cfm>

⁴¹ “From Crisis to Greater Fiscal Independence,” West Bank and Gaza Public Expenditure Review, Volume 2, Middle East and North Africa Region Social and Economic Development Group, The World Bank, February 2007

⁴² Keith Richburg, “Arafat Turns to Militants in Uprising: Freed Extremists Become Part of Palestine Resistance,” *Washington Post*, October 25, 2000; “Arafat Making Tactical Alliance with Islamic Jihad and Hamas,” *International Herald Tribune*, October 25, 2000; “Ghoushe: We Are Committed to Launching Martyrdom Operations—Coordination with Fatah Helped in Expanding Confrontations,” *Al-Mostakbal* (Lebanon), March 3, 2001.

⁴³ Israel Ministry of Foreign Affairs, “Suicide Bombing of Egged Bus No. 19 in Jerusalem,” January 29, 2004, available at http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2004/1/Suicide+bombing+of+Egged+bus+no+19+in+Jerusalem+-+htm

terrorism, including suicide bombings targeting civilians in major Israeli population centers and terror attacks by Fatah groups such as AAMB, Force 17 and the Tanzim.

In addition to its intimate ties to Fatah, the dominant faction within the PLO, the Al-Aqsa Martyrs Brigades is also closely linked to the PA and the various Palestinian security forces. A revised version of the 2001 PLOCCA report released in July 2002 notes the role of Arafat aide and moneyman, and the moving force behind the *Karine-A* smuggling affair, Fuad Shubaki, in the attempt to smuggle “a large shipment of firearms, ammunition, rockets, and explosives into Gaza” Aboard the *Karine-A* weapons smuggling ship. The report adds: “Shubaki and other PA officials involved work very closely with PA Chairman Arafat, raising serious questions of his involvement and foreknowledge.”

Evidence from approximately 500,000 documents that Israel seized from PA offices in the course of *Operation Defensive Shield* clearly indicates PA support for, and involvement in, terrorism. The seized documents include a letter dated September 16, 2001, from “Palestinian al-Aqsa Martyrs Brigades” to Shubaki, requesting funds for electrical and chemical materials to manufacture explosives.⁴⁴

The documents seized by Israel show that the PA facilitated the continuation of violence. One document shows that PA General Intelligence passed to its Ramallah office a list of 232 terrorists wanted by Israel, asking the office to “please inform the brothers whose names are mentioned above to take cautionary measures.” In at least two instances, PA security services knew of pending suicide attacks but took no action to prevent them or inform Israeli authorities.⁴⁵

According to other PA General Intelligence (PAGI) documents seized by Israel, senior Palestinian security officers – including Jamal Switat, deputy head of PA Preventive Security in Jenin and an officer named Al Rah – “supplied PIJ and Hamas in the Jenin area with most of the weapons in their possession.” Switat also recruited a suicide bomber from within PAGI who carried out a November 2001 suicide bombing in Afula.⁴⁶

Fatah bomb makers like Mutasen Hammad prepared explosives-laden suicide belts for both Al-Aqsa and PIJ.⁴⁷ For instance, a joint PIJ-Fatah suicide attack at the old central bus station in Tel Aviv on January 25, 2002 wounded 23 people.⁴⁸ Hammad, a local AAMB leader near Tulkarm, played a central role in the July 2001 bombing of a school bus near the West Bank

⁴⁴ “The Involvement of Arafat, PA Senior Officials and Apparatuses in Terrorism against Israel and Corruption,” prepared by a team headed by Danny Naveh, Israeli Ministry of Parliamentary Affairs, May 2002.

⁴⁵ “The Involvement of Arafat, PA Senior Officials and Apparatuses in Terrorism against Israel and Corruption,” prepared by a team headed by Danny Naveh, Israeli Ministry of Parliamentary Affairs, May 2002.

⁴⁶ “The Involvement of Arafat, PA Senior Officials and Apparatuses in Terrorism against Israel, Corruption and Crime,” Prepared by a team headed by Dani Naveh, Israel Ministry of Parliamentary Affairs, May 2002

⁴⁷ Israel Defense Forces, “The Fatah and the PA Security Apparatuses in the Jenin Area”; Arie O’Sullivan, “Tanzim Bombmaker Killed by Missile,” Jerusalem Post, March 15, 2002.

⁴⁸ Israel Defense Forces, “The Fatah and the PA Security Apparatuses in the Jenin Area Closely Cooperate with PIJ and Hamas,” April 9, 2002; “Suicide Bombing Terrorism During the Current Israeli-Palestinian Confrontation,” Intelligence and Terrorism Information Center, available at http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/suicide_terrorism_ae.pdf

village of Einav and had been a member of the joint Palestinian-Israeli security service in Jericho before being kicked out for his involvement in a shooting attack. He was killed in an IDF missile strike on Anabta, a village east of Tulkarm, while in a chicken coop that had been turned into a bomb factory.⁴⁹

The PA's role in supporting terrorism is further highlighted by its direct funding of terrorism. Several documents seized in Operation Defensive Shield, many of which bear Arafat's signature, grant funding requests for the families of suicide bombers and members of terrorist groups. A July 2001 letter from Kamal Hamid, Fatah's Bethlehem secretary, to "The Honorable Brother President Arafat, May God protect you With the blessings of the homeland," requests individual payments of \$2000 for 24 Fatah members. Arafat's signature, dated August 12, 2001, authorizes the payment of "\$300 to each one" of the 24 individuals.⁵⁰ Among those allocated payment by Arafat was Atef Abiat, the former leader of a Bethlehem-based terror network and senior Fatah activist. Israeli intelligence documents indicate that Abiat's cell carried out several shootings and bombings in and around Jerusalem, and was responsible for the deaths of two Israeli soldiers and more than ten civilians.⁵¹

Another seized document from Hamid to Arafat, dated November 7, 2001,

request[s] the decision of your honor regarding the urgent allocation of aid of a sum of [\$]3000 [to each] of the families of the brothers, the commanders, the martyrs, members of the movement who fell in the battle for the defense of Bet Jala, Bethlehem, Al Gaza and Ayida, and in order to pay some of their debts (bracketed information included in original Israeli translation).⁵²

Below a list of nine "martyrs" is a note in Arafat's handwriting that "\$800 should be allocated to each one of them," followed by the PA President's signature. The letter itself is on Fatah, Bethlehem region, letterhead. Abiat is one of the nine listed.⁵³

Included in an IDF report of the documents captured in *Defensive Shield* is a table summarizing the "Financing of Fatah/Tanzim and Al Aqsa Brigades Infrastructures and Activities by Arafat and his Aides." The table lists seven distinct funding requests, five of which were approved by Arafat; Arafat's senior aid and the PA's General Security Apparatus financial head, Fuad Shubaki, oversaw the remaining two.⁵⁴ In addition to the aforementioned requests is an "[a]llocation of urgent financial aid for 12 Fatah/Tanzim terror infrastructure activists in Tulkarm who were involved in lethal attacks." Marwan Barghouti filed the request, which Arafat approved to the tune of \$350 per activist.⁵⁵

⁴⁹ Arie O'Sullivan, "Tanzim Bombmaker Killed by Missile," Jerusalem Post, March 15, 2002.

⁵⁰ "Appendix A: Translation of Captured Document," "Palestinian Authority Captured Documents: Main Implications," IDF/MI report, 7 April 2002, pg. 6-7.

⁵¹ "Appendix C: Atef Abiat (Abu Jal'if)," "Palestinian Authority Captured Documents: Main Implications," IDF report, 7 April 2002, pg. 12.

⁵² "Appendix B: Translation of Captured Document," IDF report, 7 April 2002, pg. 9.

⁵³ "Appendix B: Translation of Captured Document," IDF report, 7 April 2002, pg. 9.

⁵⁴ "Appendix D: Financing of Fatah/Tanzim and Al Aqsa Brigades Infrastructures and Activities by Arafat and his Aides (Summary of Captured Documents)," IDF report, 7 April 2002, pg. 12-3.

⁵⁵ "Appendix D: Financing of Fatah/Tanzim and Al Aqsa Brigades Infrastructures and Activities by Arafat and his Aides (Summary of Captured Documents)," IDF report, 7 April 2002, pg. 13.

A November 17, 2001 letter to “Brothers, [the] Bethlehem Mayor and Honorable Municipality Members” from “The Palestinian National Liberation Movement, ‘Fatah,’ Al Aqsa Martyrs of the Nativity of the city of Bethlehem Brigades” bearing the AAMB insignia, further highlights Fatah’s and the PA’s ties to terrorism. AAMB makes a heartfelt appeal: “Honorable brothers, we intend to put the issue to you, an issue that is of utmost importance for us and will have a deep influence on our moves. The issue is your participation in a small portion [of the expenses] of our daily needs.” In this case, Fatah/AAMB (linked as the letter’s sole signatory) calls on the government to fund its illicit activities, noting the group’s inability to pay its communications and fuel costs.⁵⁶

PA support for terrorism was both active and passive. In December of 2001, for example, Palestinian television broadcast a pre-recorded speech in Arabic by Arafat in which he called for “a complete cessation of any operation or actions, especially suicide attacks.”⁵⁷ His speech was less remarkable for what it said than what it failed to say: he did not outlaw, condemn, chastise, or even mention by name any specific terrorist group; he failed to condemn terrorist attacks on humanitarian grounds, calling instead for an end to attacks so as not to provide Israel with the pretext for “military aggression”; he offered no roadmap or timetable regarding specific actions the PA planned to curb the violence; and it stopped short of calling for an end to the *Intifada*.

Arafat first initiated the policy of national unity in 2000, when he invited leaders of Hamas, PIJ, PFLP, and other groups to join his “emergency cabinet” within weeks of the Second *Intifada*’s onset. In August 2001, the PA extended Hamas and PIJ an official invitation to form a “government of national unity.”⁵⁸ In December 2001, Arafat would order the closure of Hamas and PIJ offices yet he rescinded the order days later.⁵⁹ That same month, the official Palestinian news agency WAFA reported that the PA leadership had declared a state of emergency which stipulated that “only security personnel and other licensed persons are allowed to carry any sort of weapon.” Despite this declaration, and its relevant Oslo commitments, Arafat again disappointed as the PA did not immediately begin the systematic confiscation of the thousands of illegal weapons in the hands of Hamas, PIJ, PFLP, PRC, and Fatah-associated groups such as the Al-Aqsa Martyrs Brigades.⁶⁰

This resembled similar PA behavior from several months earlier. Following the assassination of then-Israeli tourism minister Rehavam Ze’evi in October 2001 by PFLP terrorists, the PA

⁵⁶ “A Captured Document Showing that in Bethlehem the Fatah (under Its Various Names) and the PA Intelligence Apparatuses Maintain a Regime of Oppression Based on Intimidation, Extortion, Unwarranted Arrests and Abuse of the Local Christian Population,” IDF report, 14 April 2002, pg. 7.

⁵⁷ Suzanne Goldenberg, “End Suicide Attacks, Says Arafat: Leader Goes on TV To Renounce Bombings of Israelis,” The Guardian (UK), December 17, 2001, available at <http://www.guardian.co.uk/world/2001/dec/17/israel>; For an unofficial English translation of the speech, see “The Historical Speech of President Yasser Arafat on the Occasion of Eid El-Fitr,” Jerusalem Media and Communication Center, December 16, 2001.

⁵⁸ Kylie Morris, “Palestinians Discuss Unity Government,” BBC News, August 8, 2001.

⁵⁹ Robert W. Gee, “Arafat: End All Attacks on Israel: Under Pressure To Halt Terror, Palestinian leader Makes Plea,” Austin American-Statesman, December 17, 2001; Peter Hermann, “Arafat Urges Militants to Halt Attacks on Israel: Among Palestinians and Israelis, Speech Gets Mixed Reaction,” Baltimore Sun, December 17, 2001.

⁶⁰ For an English translation of the WAFA report, see “Text: The Palestinian Leadership Declare a State of Emergency Throughout the Palestinian Territory,” Independent Media Review Analysis, December 3, 2001.

outlawed the military wings of Hamas, PIJ, and the PFLP. After operatives were detained, however, they were neither prosecuted nor given full prison sentences.

Notably, the one Hamas terrorist to be tried and convicted in a Palestinian court, Mahmud Abu Hanud, was praised as a hero by the presiding judge who expressed his displeasure at having to sentence Abu Hanud to twelve years imprisonment for “forming armed bands.” Abu Hanud was released from prison in October 2000, and immediately orchestrated a number of Hamas suicide bombing attacks targeting Israeli civilians. He was later killed by Israeli forces.⁶¹

In a report entitled “International Financial Aid to the Palestinian Authority Redirected to Terrorist Elements,” Israeli government analysts carefully documented disturbing evidence about misuse of EU donor funds to finance other, unbudgeted expenditures in support of terrorism.⁶² Indeed, it was unclear how the PA used European cash aid, amounting to 10 million Euros per month, which was not tied to specific humanitarian or development projects. The report documents various illicit schemes through which the PA diverted funds to Fatah members engaged in terrorism, concluding that “the implication is that the PA paid salaries to hundreds of Fatah personnel who engaged in terrorism. Amongst the salary earners in this status was the commander of the al Aqsa Martyrs Brigades in Samaria [northern West Bank] (responsible for attacks in which 17 Israelis were killed), and the two murderers of the Israeli youth who was lured via the Internet to the Ramallah area where he was murdered.”⁶³

The 500,000 documents Israel seized from PA offices during *Defensive Shield* provide extensive evidence of PA support for, and involvement in, terrorism. For example, the seized documents provide evidence that the PA deducted 3 percent of gross income from PA employee salaries (paid in part by EU funding) that was earmarked for Arafat’s Fatah. Additionally, Israeli authorities discovered over sixty copies of checks made out to various Fatah branch offices in the West Bank from the PA Finance Ministry’s “salaries account,” account number 01810058/4 at the Al-Urdan bank (Bank of Jordan P.L.C.). While many checks were dated as early as 1998-1999, predating direct EU budgetary assistance to the PA, investigators found identical documentation from 2001. For instance, in a letter on Fatah letterhead dated October 22, 2001, senior Fatah official Jamal Lafi asks that the bank allow Fatah activist Ziad Hamis Hussein Bahar to cash a NIS 10,500 check drawn on the salaries account and payable to the “Palestinian National Liberation Movement, Fatah/Abu Dis.” Even assuming that the money actually went for salaries, the salaries account is intended only to fund the salaries of PA employees, not Fatah activists (and if those being paid were actually PA officials, then these payments in cash were

⁶¹ “Hamas Militant Fears Jews Will Kill Him If He Goes Free: Chose To Stand Trial in Area Controlled by Palestinians,” Reuters, September 3, 2000; Lee Hockstader, “Israel Kills Key Hamas Commander: Attack Could Hurt U.S. Peace Effort,” Washington Post, November 24, 2001.

⁶² “International Financial Aid to the Palestinian Authority Redirected to Terrorist Elements,” Israel Defense Forces/Military Intelligence, June 200, available at the Israel Ministry of Foreign Affairs website, http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/6/International%20Financial%20Aid%20to%20the%20Palestinian%20Aut.

⁶³ “International Financial Aid to the Palestinian Authority Redirected to Terrorist Elements,” Israel Defense Forces/Military Intelligence, June 200, available at the Israel Ministry of Foreign Affairs website, http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/6/International%20Financial%20Aid%20to%20the%20Palestinian%20Aut.

improper: the PA should have recorded which individual was paid how much, deducting the legally required taxes).⁶⁴

On June 24, 2002, President Bush would settle – based on this and subsequent information that Arafat was financing terrorism – on a policy of Palestinian regime change and a conclusion that Arafat was himself an obstacle to peace.⁶⁵

Consider, for example, the letter dated September 16, 2001, from “Palestinian Al-Aqsa Martyrs Brigades” to Shubaki, Arafat’s aide and former PA General Security Apparatus financial head. The letter, which requests funds for electrical and chemical materials to manufacture explosives, explains that “the cost of one ready explosive charge is 700 Shekels at least.” It continues, “We need every week 5-9 explosive charges for squads in various areas.” Handwritten notes tally the total at 20,000 NIS per month. The letter includes the cost of ammunition, adding “we need bullets on a daily basis.”⁶⁶ Further revealing the PA’s involvement in terrorism, in a letter dated September 9, 2001, Fatah leader Hassan al Sheikh requested \$2,500 for Ra’ed el Karmi, Ziad Da’as, and Amar Qadan, Al-Aqsa terrorists involved in the January 17, 2002, Bat Mitzvah party attack in Hadera. At the bottom of the page, a handwritten note signed by Arafat on September 19 instructs the PA Treasury to allocate \$600 to each of them.⁶⁷ Another captured document requests \$25,000 for a lathe, \$40,000 for a milling machine, and additional funds for other machines to build heavy weapons.”⁶⁸

Other documents underscore the close cooperation between PA security services and terrorist groups, including providing such groups weapons and early warning of pending raids. One Palestinian intelligence report notes that “Jamal Switat (is) Deputy Head of the Preventive (Intelligence Apparatuses) in Jenin and responsible for the (Islamic) Jihad, he often contacts it and reports to it on the waves of arrests against them, their dates and the names of wanted men. Additionally, he supplies arms to the Hamas and to the (Islamic) Jihad by trading with it.” Another Palestinian intelligence report boasts of a particularly successful terrorist cell, organized by Ziad Da’as, and its close ties to the PA security service: “This squad carried out qualitative and successful operations. The last one in this framework was the coordination and planning of the [Bat Mitzvah party] operation in Hadera to avenge the death of the martyr Ra’ed Karmi...[Ziad Da’as] men are very close to us and maintain constant coordination and contact with us.”⁶⁹

⁶⁴ Matthew Levitt, “Accounting and Accountability: Defining Donor Requirements for Palestinian Reform,” PolicyWatch 638, The Washington Institute for Near East Policy, July 18, 2002

⁶⁵ Glenn Kessler and Walter Pincus, “Bombing Link Swayed Bush: Reported Arafat Payment to Terror Group Shifted Stance,” *The Washington Post*, June 26, 2002

⁶⁶ “Arafat’s and the PA’s Involvement in Terrorism (According to Captured Documents),” IDF report, 22 April 2002, http://www.terrorism-info.org.il/malam_multimedia/English/financing/pdfs/03.pdf

⁶⁷ “Arafat’s and the PA’s Involvement in Terrorism (According to Captured Documents),” IDF report, 22 April 2002, http://www.terrorism-info.org.il/malam_multimedia/English/financing/pdfs/03.pdf

⁶⁸ “Arafat’s and the PA’s Involvement in Terrorism (According to Captured Documents),” IDF report, 22 April 2002, http://www.terrorism-info.org.il/malam_multimedia/English/financing/pdfs/03.pdf

⁶⁹ “Arafat’s and the PA’s Involvement in Terrorism (According to Captured Documents),” IDF report, 22 April 2002, http://www.terrorism-info.org.il/malam_multimedia/English/financing/pdfs/03.pdf

Palestinian Authority control over PA security forces during the 2000-2002 period

Between 2000 and 2002, the PA exerted significant control over its various security forces. Indeed, PA Chairman Yasser Arafat maintained personal control over these agencies by insisting that each security service report to him directly. As the evidence presented in this report makes clear, Arafat himself – as well as his deputies, aides and ministers – personally approved of his security agencies’ involvement in terrorism. The PA knowingly provided salaries to members of the PA security forces involved in terrorism (indeed, they often justified their requests for funding by highlighting such activities) and frequently funded their operations.

Ultimately, in June 2002, the U.S. government took the public position that the PA was “tainted by terror.” The implication was that by virtue of the control it exerted over its security services, the PA could have prevented security forces from engaging in terrorism and could have further employed these services to combat the terrorism perpetrated by others. But in the early years of the Second *Intifada*, from September 2000 to 2002, State Department reports tried to skirt the issue of PA responsibility for terrorism for fear that finding the PA and PLO noncompliant with its treaty obligations would undermine U.S. efforts to revive peace talks and stem the violence of the *Intifada*.

In May 2002, the State Department submitted its semiannual PLOCCA report to Congress, assessing PLO and PA compliance with commitments made under the Israeli-Palestinian peace accords during the period of June 15, 2001 – December 15, 2001. While attempting to maintain a veneer of compliance in an effort to breathe life into the peace process mission of then-CIA Director George Tenet, the report acknowledged PA shortcomings over the reporting period.

The report acknowledges that Fatah elements “were frequently involved in acts of violence,” but maintains, “there is no conclusive evidence that these elements acted with the prior approval and encouragement of the PLO and PA leaderships.”⁷⁰ According to the May PLOCCA report, “there is no conclusive evidence that the senior leaderships of the PA or PLO were involved in planning or approving specific acts of violence.”⁷¹ Evidence to the contrary reveals that Maher Fares, head of Palestinian military intelligence in Nablus, directed a terrorist cell that placed a bomb on a Tel Aviv bus on December 28, 2000, among other attacks instigated by the group.⁷²

In addition to Fares’ efforts, senior PA and PLO officials made countless incendiary public statements over the course of the second *Intifada*, such as the December 7, 2001, statement by Ikrima Sabri, the PA-employed mufti of Jerusalem, supporting suicide attacks: “we must not stand in the way of the Intifada and jihad. Rather, we must stand at their side and

⁷⁰ Report Pursuant to Title VIII of Public Law 101-246, Foreign Relations Authorization Act for Fiscal Year 1990-91, As Amended (The PLO Commitments Compliance Act of 1989, PLOCCA, as amended), submitted May 2002 (hereafter, PLOCCA report, May 2002)

⁷¹ PLOCCA Report, May 2002

⁷² Israeli Defense Forces - Nablus: the Infrastructure Center of Palestinian Terrorism - The PA's Involvement In Terror, <http://www.idf.il/arafat/schem/english/c.html>

encourage them.” Documents recovered during *Operation Defensive Shield* included requests addressed to Faisal Husseini (then Arafat's Jerusalem representative) for further funding of terrorist activities; orders signed by Arafat to pay Tanzim operatives; and documents relating to the U.S.-based Holy Land Foundation for Relief and Development, a Hamas front organization shut down by U.S. authorities in December 2001 and convicted of supporting Hamas in 2008.

As the May 2001 PLOCCA report was issued some four months behind schedule, the State Department made certain to issue the next PLOCCA report on time, in July 2002. The new report, released less than a month after President George W. Bush's call for Palestinian reform and just two days after an Al-Aqsa Martyrs Brigades terrorist attack which killed 7 civilians and wounded 17, broke from the May report by making specific reference to seized Palestinian documents and calling out the PLO and PA for supporting terrorism.

Echoing the May PLOCCA report, the new July PLOCCA report repeatedly used the phrase “there is no conclusive evidence” to qualify the failure of PA and PLO leaders to rein in or discipline AAMB, Tanzim, or PA security forces whom, the report conceded, “they clearly knew...were involved in the violence.”⁷³ And yet, the July report described the Palestinians' record of honoring peace commitments as “mixed as best, with specific serious concerns about their commitment to renounce the use of terrorism and violence, assume responsibility for all PLO elements, and discipline violators.”⁷⁴ Moreover, the report acknowledged that “some senior PLO and PA leaders did little to prevent – and in some cases encouraged – acts of violence and an atmosphere of incitement to violence.”⁷⁵ The July report also informed that the PA had funded Fatah terrorists and made no “serious or sustained” efforts to suppress attacks by the Fatah-associated Al-Aqsa Martyrs Brigades.⁷⁶

Far from suppressing attacks, over the course of *Defensive Shield* the IDF arrested and interrogated a number of mid- and high-level terror operatives who worked for the PA. For example, on April 10, 2002 the IDF arrested Zafer Abdallah Juad Abdallah Ramhan Rimawi, an officer in the Palestinian Preventive Security Services (PPSS). Rimawi, who admitted to being inducted into a Fatah terrorist cell in early 2001 and to remaining in contact with senior Fatah and Force 17 (Arafat's security service) operatives, was personally responsible for a number of shooting attacks against Israeli civilians.⁷⁷ Israeli security forces also arrested Akram Kassam, a senior officer in Palestinian military intelligence, when the IDF entered Ramallah on April 10. During his interrogation, Kassam stated that parallel to his position within the PA, he was also a Hamas activist, serving as a liaison between Hamas cells in the West Bank and Gaza Strip.

⁷³ PLOCCA, July 2002

⁷⁴ Report Pursuant to Title VIII of Public Law 101-246, Foreign Relations Authorization Act for Fiscal Year 1990-91, As Amended (The PLO Commitments Compliance Act of 1989, PLOCCA, as amended), submitted July 2002 (hereafter, PLOCCA report, July 2002)

⁷⁵ PLOCCA, July 2002

⁷⁶ PLOCCA, July 2002

⁷⁷ “Results of questioning of Palestinian detainees (Communicated by the IDF Spokesman),” Israel Ministry of Foreign Affairs, April 2002. <http://www.mfa.gov.il/MFA/Government/Communiques/2002/Results+of+questioning+of+Palestinian+detainees+-.htm>

Kassam was personally involved in shooting attacks on buses carrying soldiers and received \$12,000 from Hamas members in Gaza to establish a Hamas infrastructure in the West Bank.⁷⁸

Despite highlighting the PA's deliberate failure to thwart Palestinian terrorism, the July 2002 PLOCCA report acknowledged general fault but assigned no specific culpability for fear that doing so would force the Bush administration's hand and force it to enact one or more sanctions such as ending visa waivers, designating terrorists, or withholding non-humanitarian funds.⁷⁹ Tellingly, however, the cover letter to the report – written by then-Assistant Secretary of State for Legislative Affairs Paul V. Kelly – issued a backhanded rebuke of PA-PLO noncompliance with its commitments to “a peaceful resolution of its conflict with Israel,” to “renounce the use of terrorism and other acts of violence,” and to “assume responsibility over all PLO elements and personnel and to assure their compliance,” among others.⁸⁰ In noting that the report issued no definitive judgment of PLO compliance during the given reporting period, Kelly stated that “to make such an explicit determination at this time would not serve the national security interests of the United States.”⁸¹ The State Department's failure to pass definitive judgment on PA-PLO compliance was immediately described by Congressman Lantos as “total disregard of the evidence.”⁸²

Following the U.S. government's designation of the AAMB as a terrorist organization in February 2002 and four months before the release of the PLOCCA report, then-Secretary of State Colin Powell made a public demand that Arafat issue “clear and unambiguous orders to Palestinian security forces to prevent further terror attacks.”⁸³ This high level demarche indicated that at the highest levels of the U.S. government the assessment was that Arafat and the PA did indeed control the PA security forces. The PA chose not to do so, to be sure, but it could have done so at any time if only due to its control of the purse strings with which it continued to fund and arm AAMB and other terrorist elements. In fact, showing Arafat's defiance, documents seized in his compound proved that despite multiple promises to U.S. officials, he not only refused to detain thirty-six terrorists requested by then-U.S. Middle East envoy Gen. Anthony Zinni, but authorized payment for some of them from PA coffers. Indeed, most Al-Aqsa operatives, like Mohammed Hashaika, the AAMB suicide bomber who struck Jerusalem on March 21, were current or former PA police officers⁸⁴ and many were receiving or had received funds from the PA, often with Arafat's blessing.

⁷⁸ “Results of questioning of Palestinian detainees (Communicated by the IDF Spokesman),” Israel Ministry of Foreign Affairs, 10 April 2002. <http://www.mfa.gov.il/MFA/Government/Communiques/2002/Results+of+questioning+of+Palestinian+detainees+-+htm>

⁷⁹ Section 566 (PLO Compliance Report) of the FY 02 Foreign Operations Appropriations Act (P.L. 107-115)

⁸⁰ PLOCCA, July 2002

⁸¹ PLOCCA, July 2002

⁸² “Lantos Criticizes State Department on Palestinian Compliance Report,” House Committee on International Relations Press Release, July 22, 2002

⁸³ “Bush pushes Mideast cease-fire,” *Associated Press*, March 26, 2002.

⁸⁴ “Information On The Terrorist Who Carried Out Today's Suicide Bombing On King George Street In Jerusalem,” Communicated by the IDF Spokesperson and the Prime Minister's Media Adviser, Jerusalem (March 21, 2002)

Providing further evidence of the PA's intentional failure to stem the *Intifada*, just two days after his deceitful December 16, 2001 speech which called for "a complete cessation of any operation or actions, especially suicide attacks,"⁸⁵ Arafat's rhetoric took a noticeable turn. As he addressed a crowd outside his Ramallah headquarters, Arafat glorified Palestinian martyrdom as a means of winning Jerusalem. Citing a Qur'anic passage promising large rewards for "martyrs" fighting in the Holy Land, he declared that "one martyr of these is worth seventy."⁸⁶ The Middle East Media Research Institute, which translated the speech, clarifies the meaning of this passage as "one martyr on the front line in Jerusalem is worth seventy martyrs on any other front of jihad." Arafat continued: "Today, the martyr Muhammad al-Dura [a twelve-year-old boy killed in crossfire between Israeli and Palestinian forces] and all our martyrs in paradise tell them [the Jews]: 'We are a nation of giants, we shall defend the frontline land.'"⁸⁷ The excited crowd fervently responded, "One million martyrs are already marching to Jerusalem."⁸⁸

Still more evidence reflecting the PA's and Arafat's purposefully inadequate efforts to inhibit Palestinian terrorism is that not only did *Defensive Shield* turn up numerous documents tying Arafat and other Palestinian officials to known terrorists, it also uncovered caches of illegal weapons in the PA's possession. These weapons were in clear violation of Israeli-Palestinian peace agreements. Within Arafat's Mukata'ah compound in Ramallah alone, IDF soldiers found scores of munitions, pistols, automatic rifles, and empty suicide bomber belts. In addition to these items, the IDF found a number of RPG launchers, which the PA was forbidden to possess under the terms of its agreements with Israel.⁸⁹

Those documents and illicit weapons seized in *Defensive Shield* aside, the U.S. State Department's 2003 terrorism report explicitly took the PA to task for failing to use its security forces to combat terrorism. According to the report:

The Palestinian Authority's efforts to thwart terrorist operations were minimal in 2002. Israeli military operations in the West Bank and Gaza Strip degraded a PA security apparatus that was already hobbled by corruption, infighting, and poor leadership. Some personnel in the security services, including several senior officers, have continued to assist terrorist operations. Incidents such as the seizure in January of the Karine-A, a ship carrying weapons that Iran planned to deliver to the PA, further called into question the PA's ability and desire to help prevent terrorist operations. President Bush expressed 'disappointment' in Arafat, indicating the intercepted

⁸⁵ Suzanne Goldenberg, "End Suicide Attacks, Says Arafat: Leader Goes on TV To Renounce Bombings of Israelis," *Guardian* (UK), December 17, 2001. For an unofficial English translation of the speech, see "The Historical Speech of President Yasser Arafat on the Occasion of Eid El-Fitr," Jerusalem Media and Communication Center, December 16, 2001. <www.jmcc.org/new/01/dec/arafatspeech.htm>

⁸⁶ "Recent Statements by Yasser Arafat," Special Dispatch Series no. 317, Middle East Media Research Institute, December 20, 2001. <<http://memri.org/bin/articles.cgi?Page=archives&Area=sd&ID=SP31701>>

⁸⁷ "Recent Statements by Yasser Arafat," Special Dispatch Series no. 317, Middle East Media Research Institute, December 20, 2001. <<http://memri.org/bin/articles.cgi?Page=archives&Area=sd&ID=SP31701>>

⁸⁸ "Arafat: All Palestinians Are Martyrs," *Jerusalem Post*, December 18, 2001.

⁸⁹ Matthew Levitt and Seth Wikas, "Defensive Shield Counterterrorism Accomplishments," Policy 377, The Washington Institute for Near East Policy, April 17, 2002

shipment would encourage terrorism. In June, President Bush called for a new Palestinian leadership ‘not compromised by terror.’⁹⁰

The PA’s counterterrorism performance did not improve the following year. The State Department’s 2004 terrorism report lamented that “Unfortunately, the Palestinian Authority (PA) continued to take insufficient steps to stop terrorist operations.”⁹¹

Moreover, much of the PA’s direct contact with, and oversight of, AAMB involved funding and arming AAMB cells. This was often accomplished through direct contact between AAMB operatives and senior PA officials, including Arafat himself, who would then instruct security services and other PA agencies to follow through with financial support and weapons provision. For example, a letter addressed to Arafat from “your sons, Al-Aqsa Martyrs Brigades – Southern Area,” included the logos of both AAMB and Fatah on the letterhead and a joint stamp of the two organizations at the bottom. According to the letter, it was delivered from AAMB operatives to Arafat through “the fighting brother, Nabil Amru, the Minister for Parliamentary Affairs, May the Almighty protect him.”⁹² Indeed, this particular letter justified the request for funding by noting the affiliation of the AAMB operatives with both Fatah and PA security services and by highlighting the fact that some of them were wanted by Israeli authorities and others were already in Israeli jails.⁹³

In addition to AAMB, Arafat’s Force 17 presidential security forces as well as the Fatah-linked Tanzim militia engaged in numerous attacks, including bombings, roadside ambushes, and shooting attacks. For example, Jamal Mustafa Ahwil, Tanzim head in the Jenin refugee camp, was responsible for the suicide bombings that took place on November 27, 2002, in Afula and on March 21, 2002, in Jerusalem. Under the guidance of Fatah secretary-general Marwan Barghouti – and often paralleling their day jobs as members of the various Fatah-dominated Palestinian security organizations – Fatah-associated elements have conducted numerous terror attacks with weapons, funding, and logistical support from senior PA officials.⁹⁴ Nasser Abu Hamid, a founder of AAMB, admitted that Barghouti was involved in procuring and paying for weapons used in attacks on Israelis and that explosives used in Al-Aqsa attacks came from Force 17 stockpiles.⁹⁵

⁹⁰ U.S. Department of State, “Patterns of Global Terrorism 2002,” April 30, 2003, available at <http://www.state.gov/s/ct/rls/crt/2002/html/index.htm>.

⁹¹ U.S. Department of State, “Patterns of Global Terrorism 2003,” April 29, 2004, available at <http://www.state.gov/s/ct/rls/crt/2003/31638.htm>.

⁹² “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

⁹³ “The ‘Al Aqsa Martyrs Brigades’ (on US State Department list of terror organizations) and the Fatah Organization are one and the same, and Yasser Arafat is their leader and commander,” IDF/Military Intelligence report dated 3 May 2002, http://www.terrorism-info.org.il/malam_multimedia/English/ya/ya_hp.htm

⁹⁴ Matthew Levitt and Ehud Waldoks, “The Return of Palestinian Nationalist Terrorism,” Policy 379, The Washington Institute for Near East Policy, May 3, 2002

⁹⁵ “Statement of Indictment: Nasser (Bin Mohammed Yusuf) Naji Abu-Hamid,” Israel Ministry of Foreign Affairs, July 19, 2002. http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/7/Statement%20of%20Indictment-%20Nasser%20-Bin%20Mohammed%20Yusu

Authenticity of Documents Seized by IDF in Operation Defensive Shield

Some have questioned the authenticity of the damning documents confiscated by Israel during its various West Bank raids. Yet, Ambassador Francis X. Taylor, former State Department coordinator for counterterrorism, commented on May 21, 2002, “We don’t have any question about the authenticity of the documents provided by the Israeli Government.”⁹⁶ Noting the “credible evidence” Israelis authorities uncovered in *Operation Defensive Shield*, New York Congressman Benjamin Gilman stated for the record that “the authenticity of this evidence is confirmed by U.S. counterterrorism authorities.”⁹⁷ Indeed, the State Department’s 2003 terrorist report concluded that “Documents seized by the Israelis and information gleaned from the interrogation of arrested al-Aqsa members indicate that Palestinian Authority (PA) and Fatah members, including Chairman Yasir Arafat, made payments to al-Aqsa members known to have been involved in violence against Israelis.”⁹⁸

Perhaps even more telling was the on-camera reaction of a PIJ operative when he found out documents seized in *Operation Defensive Shield* revealed his cooperation with PA security services. In an interview with *60 Minutes*, Haj Ali Safuri, a senior Palestinian Islamic Jihad terrorist now in Israeli custody, inadvertently verified their authenticity. Upon hearing himself described in Palestinian Authority documents as a prominent terrorist leader who had engineered at least ten suicide attacks, Safuri’s only response was to ask, “Truthfully, I mean, how did you get this from the Palestinian Authority? These are secret documents. They are not supposed to be disclosed.”⁹⁹

V. CONCLUSION.

The information and conclusions in this report, based on my knowledge, experience, training and education, and after reviewing the kinds of sources and documents typical among experts in my field, comport with the findings of my own primary field research conducted on the ground, in the region. It is my expert opinion that on its own, and in close cooperation with other militant groups (including U.S.-designated Foreign Terrorist Organizations), Al-Aqsa Martyrs Brigades has carried out a significant number of terrorist attacks. As documented above, the Al-Aqsa Martyrs Brigades is recognized as a terrorist group by countries, international organizations, academic and professional institutions and experts worldwide, and is explicitly designated as a terrorist group by the United States.

⁹⁶ “State’s Taylor Summarizes Annual Global Terrorism Report,” *Washington File*, U.S. Department of State International Information Programs, May 21, 2002, <http://www.usinfo.state.gov/topical/pol/terror/02052105.htm>

⁹⁷ Statement by Senator Benjamin A. Gilman, House International Relations Subcommittee on the Middle East and South Asia, July 11, 2002. A number of other Members of Congress Echoed Sen. Gilman’s sentiments in the course of the hearing. http://commdocs.house.gov/committees/intlrel/hfa80641.000/hfa80641_of.htm

⁹⁸ U.S. Department of State, “Patterns of Global Terrorism 2002,” April 30, 2003, available at <http://www.state.gov/s/ct/rls/crt/2002/html/index.htm>.

⁹⁹ Interview conducted by Lesley Stahl as part of “The Arafat Papers,” a segment on *60 Minutes*, Central Broadcasting System, September 29, 2002; a partial transcript of the program was posted online by Independent Media Review Analysis at www.imra.org.il/story.php3?id=1388

As an integral component of the Fatah Movement, which dominated both the Palestinian Authority and the Palestine Liberation Organization, Al-Aqsa Martyrs Brigades was uniquely positioned to leverage its formal and informal relationships with these groups and their leaders to secure funding, weapons, safe haven, and a variety of forms of support for its acts of terrorism and political violence. From the onset of the Second *Intifada* in September 2000, and continuing through 2003 and after, Fatah has provided the Brigades with both weapons and financing.

Over the course of the Second *Intifada*, elements of the Palestinian Authority both actively and passively supported terrorist activities. PA officials and agencies not only officially tolerated terrorist activity; they also funded, armed, and at times cooperated with terrorist groups, including the Al-Aqsa Martyrs Brigades.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



3/22/13

Dr. Matthew Levitt